

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JA'LEE FOREMAN, JR., DANIEL
HEDRICK, JOSEPH MITCHELL,
and JOHN BASCO,

Plaintiffs,

-vs-

OKLAHOMA COUNTY SHERIFF,
OKLAHOMA COUNTY CRIMINAL
JUSTICE AUTHORITY, BOARD OF
COUNTY COMMISSIONERS FOR
OKLAHOMA COUNTY,
CHRISTIAN CHARLES MILES, and
GREGORY CORNELL BUTLER,
JR.,

Defendants.

Case No. CIV-21-1062-F

ORDER

On April 13, 2022, the court entered an order granting Defendants Gregory Butler and Christian Miles' Motion to Stay Civil Proceedings, doc. no. 27, and staying this case until September 30, 2022, unless the criminal case against defendants was finally resolved prior to that date. The court also directed defendants to file on September 30, 2022, a report as to the status of the criminal case, and if the criminal case was finally resolved prior to that date, the court directed defendants to so advise within 10 days of final resolution. *See*, doc. no. 33.

On September 30, 2022, defendants filed a Notice to the Court and Request to Continue Stay of Civil Proceedings. Doc. no. 35. Defendants represent the

criminal case against them (CM-2020-3083) is still proceeding. Defendants state that the district court reset a hearing on motions and a status conference for December 1, 2022. Defendants state that if the criminal case survives dismissal after the hearing, they anticipate the criminal case will be set for trial in Spring 2023.

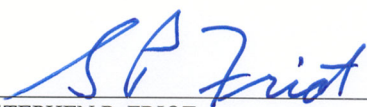
Plaintiffs have not responded in opposition to defendants' request within the time specified by LCvR7.1(g). Pursuant to that rule, the court, in its discretion, deems the request confessed by plaintiffs.

Upon independent review of the confessed motion, the court, in its discretion, concludes that defendants' request should be granted, and the stay of this case continued pending resolution of the criminal case against defendants.

Accordingly, Defendants Christian Miles and Gregory Butler, Jr.'s Request to Continue Stay of Civil Proceedings (doc. no. 35) is **GRANTED**. The case remains **STAYED** until April 25, 2023, unless the criminal case is finally resolved prior to that date. Defendants are not required to answer or otherwise respond to plaintiffs' operative pleading until ordered by the court.

Defendants Miles and Butler are **DIRECTED** to file, no later than April 25, 2023, a report as to the status of the criminal case. If the criminal case is finally resolved prior to that date, defendants are directed to advise the court within 10 days of the final resolution.

IT IS SO ORDERED this 25th day of October, 2022.


STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE